

AGENDA

La Vergne Board of Zoning Appeals

May 30, 2023 at 5:30 PM

- Call meeting to order.
- Determine quorum.

ORDER OF BUSINESS

1. Approve Minutes: March 28, 2023 Regular Meeting

NEW BUSINESS

2. Request for Variance to Height Restriction in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.
3. Request for Variance to Parking Regulations in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE CITY OF LA VERGNE, TENNESSEE MARCH 28, 2023 IN LA VERGNE CITY HALL, LA VERGNE, TENNESSEE

The La Vergne Board of Zoning Appeals met in a regular meeting on March 28, 2023 in La Vergne City Hall starting at 5:30 p.m. The meeting was called to order by Chairman Graeme Coates.

Members Present

Members present: Chairman Graeme Coates, Terrence Smith, and Alfred Lane. Vice-Chairman Craig Pollock and Charles Jones were absent.

Staff Members Present

Staff members present: City Attorney Phillip Dodd, City Planner Bo Logan, Engineering Director Gary Lide, Codes Director Randolph Salyers, Executive Assistant Juliet Williams, and Media Services Jerry Davenport.

ORDER OF BUSINESS

1. Approve Minutes: January 31, 2023, Regular Meeting

A motion, made by Alfred Lane, seconded by Terrence Smith, to approve the minutes of the January 31, 2023 Regular Meeting, was adopted with all voting AYE.

NEW BUSINESS

2. Request for Sign Variance - Property located at 503 New Paul Road (Tax Map 17, Parcel 40.03). I-2 (Heavy Industrial) Zoning District. Property owned by AMERCO Real Estate Company.

Mr. Bo Logan gave his report.

Chairman Coates swore in Mr. Chris Harden, 3557 Asbuty Lane, Murfreesboro, a representative of AMERCO Reals Estate Company. He apologized for the outdated imaging. He explained the reason for their request and that they are only requesting what was already approved. Chairman Coates asked about the imaging plan. A discussion ensued.

Mr. Harden approached the board and presented the correct imaging they are requesting. A discussion ensued.

Mr. Logan made comments about what they had submitted in the packet. He explained that the incorrect packet was submitted. Chairman Coates suggested a deferral.

A motion, made by Chairman Graeme Coates, seconded by Alfred Lane, to defer this item for one month, was adopted with all voting AYE.

3. Request for Sign Variance - Property located at 5022 Murfreesboro Road (Tax Map 15, Parcel 17.04). C-2 (Highway Service Commercial) Zoning District. Property owned by NFA Investment, Inc.

Mr. Logan gave his report.

Mr. Will Jenner, 2604 Westwood Dr, Nashville, was sworn in. He stated that Mr. Logan's report was accurate. He explained the reasoning for the sign variance request.

Chairman Coates asked about the dimensions from the top of the brick wall to the cabinet. Mr. Jenner stated that it will sit directly on top. Chairman Coates asked if the sign would be illuminated. Mr. Jenner confirmed it would be.

A motion, made by Alfred Lane, seconded by Terrence Smith, to accept the sign variance request, was approved with all voting AYE.

ADJOURNMENT

There being no further business to come before this meeting, Chairman Coates declared the meeting adjourned at 5:55 p.m.

Chairman

City Recorder

Approved: _____

AGENDA ITEM SUMMARY SHEET

Board of Zoning Appeals

Meeting Date: May 30, 2023

Item Title: Request for Variance to Height Restriction in the La Vergne Zoning Ordinance. Property located at 703 Waldron Road (Tax Map 29, Parcel 22.02). R-3 (High Density Residential) Zoning District. Parcel owned by John M. Gilliland Living Trust.

Department: Planning

Presented By: Bo Logan

Item Attachments:

1. aerial 1 - 703 Waldron Rd
2. IMG_3805
3. Submittal Package

Summary:

The applicant would like to request a variance to the height restriction in the La Vergne Zoning Ordinance. The applicant is proposing that each apartment building contain 3 stories and be 48 feet high. The current R-3 district prohibits any buildings over 35 feet in height. Allowing each building to go to 48 feet will be much more visually pleasing. Also, the new zoning ordinance would allow a maximum of 3 stories or 50 feet.

Background Information:

The property is located at 703 Waldron Road (Tax Map 29, Parcel 22.02). This site is zoned R-3 (High Density Residential) Zoning District. The parcel is owned by the John M. Gilliland Living Trust. The proposed multi-family development will contain 324 apartments.

703 Waldron Rd





BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

(Please Print or Type - Any Correspondence will be addressed to the individual.)

1. Date of Application: 04/10/2023 2. Phone Number: 615.840.2553
3. Property Owner's Name: Gilland John M Living Trust
4. Property Owner's Address: 3180 Waterlevel Hwy
Cleveland, TN 37311
5. Your Name (If Different): BRS Development, LLC
6. Address: 5617 Cottonport Dr
Brentwood, TN 37027
7. Property Location: 703 Waldron Road
La Vergne, TN 37086

(If additional space is needed, please use an additional sheet of paper.)

Section 1 - Appeal the Decision of the Building Inspector / Codes Enforcement Officer.

8. Decision of the Building Inspector / Codes Enforcement Officer: _____

(If additional space is needed, please use an additional sheet of paper.)

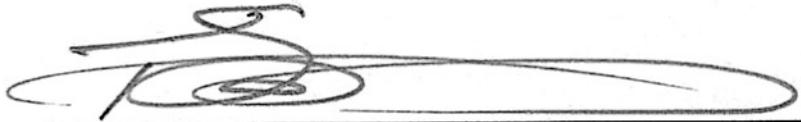
Section 2 - Application for a Variance / Special Exception.

9. Type of Variance / Special Exception Needed: Height Restriction and Parking Requirements for Multifamily Design Standards R3 Zoning,
10. Peculiar or Unusual conditions which justify the Variance Requested: City of La Vergne is Changing the Design Standards for Multifamily R3 Zoning, The Variance requested it to match those future Design Standards For Hight and Parking Restrictions

(If additional space is needed, please use an additional sheet of paper.)

In granting a variance, the Board shall ascertain that the following criteria are met:

1. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the Board, do not apply generally in the district.
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
4. The granting of any variance shall be in harmony with the general purpose and intent of this ordinance and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the persons applying therefore.
6. Variances must return to the planning commission for site approval and be accompanied by a written explanation from the Board of Zoning Appeals stating the reason the variances was granted or was not granted.



Applicant Signature

Date: 4/10/23

I, Joseph D. Dixon, Trustee of the John M. Gilliland Trust U/A dtd December 22, 2014, Property Owner, hereby grant permission to BRS Development to represent our interests in an application to be filed with the City of La Vergne, TN Planning Commission for the purpose of obtaining a Preliminary Plat for the property located along Waldron Rd La Vergne, TN.

Joseph D Dixon Trustee
Property Owner

Witness My had and official seal at Chattanooga, Tennessee this 27th
City State

Day of May, 2022

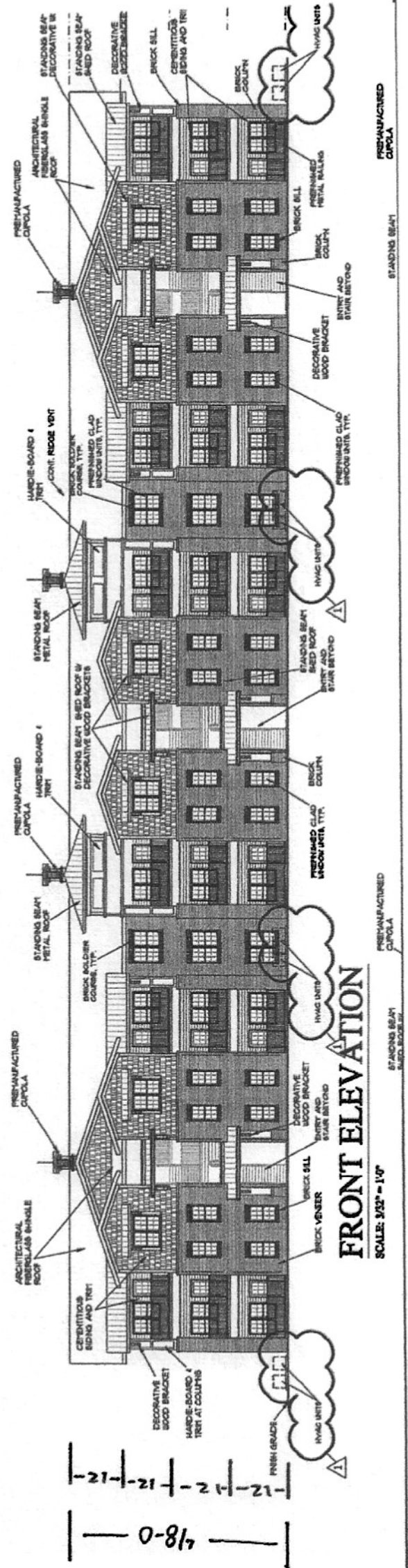
H. Diane Dixon

Notary Public

My Commission Expires: 1/29/2025



BUILDING TYPE B - ELEVATIONS



FRONT ELEVATION

SCALE: 3/32" = 1'-0"

PRE-MANUFACTURED CUPOLA

STANDING SEAM METAL ROOF

PRE-MANUFACTURED CUPOLA

STANDING SEAM METAL ROOF

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PRE-MANUFACTURED CUPOLA

BOZA Parking Request

Current Zoning Design Standards for Parking Requirements

	Number of Units <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>
1 Bedroom Units	113	3	339
2 Bedroom Units	179	3	537
<u>3 Bedroom Units</u>	<u>32</u>	<u>3</u>	<u>96</u>
Total	324		972

Future Zoning Design Standards for Parking Requirements

	Number of Units <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>
1 Bedroom Units	113	1.5	170
2 Bedroom Units	179	2.2	394
<u>3 Bedroom Units</u>	<u>32</u>	<u>3.3</u>	<u>106</u>
Total	324		669

Zoning Appeal Request for Parking Provided

	Number of Units <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>	Number of Spaces <u>By Bedroom</u>
1 Bedroom Units	113	1.5	170
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Department: Planning

Presented By: Bo Logan

Item Attachments:

1. aerial 1 - 703 Waldron Rd
2. aerial 2 - 703 Waldron Rd
3. zoning - 703 Waldron Rd
4. IMG_3805
5. IMG_4066
6. Submittal Package

Summary:

The applicant would like to request a variance from the parking regulations contained in the La Vergne Zoning Ordinance. This multi-family project will contain 324 apartments. The parking areas must contain 972 parking spaces under the current zoning ordinance. If/When the proposed zoning ordinance goes into effect the apartment site would only have to provide 669 parking spaces.

Background Information:

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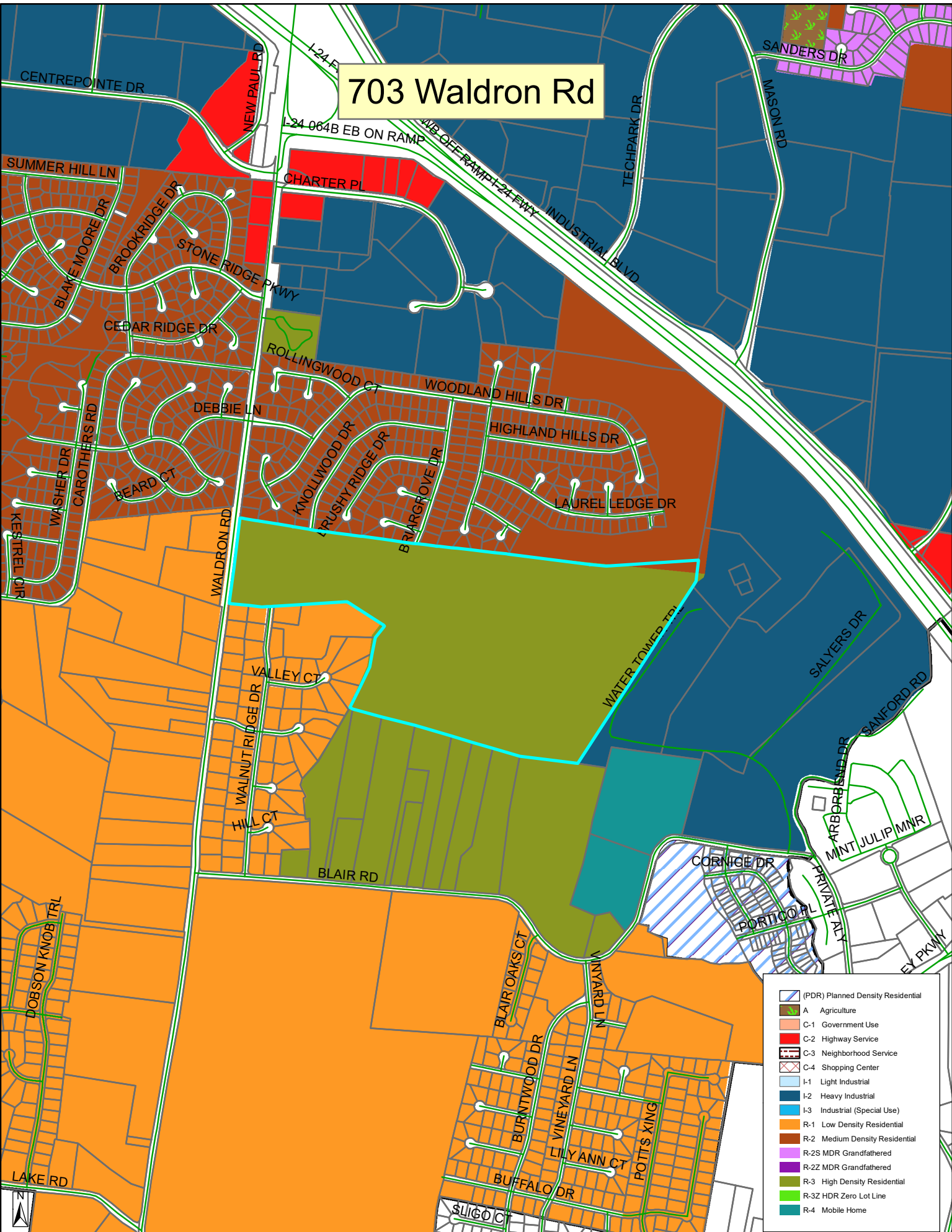
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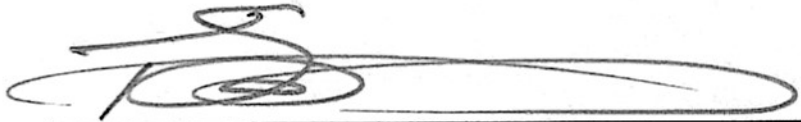
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H. Diane Dixon

Notary Public

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